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Attorneys for Plaintiff
DAVID KECK and all persons similarly situated

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID KECK, individually and on behalf of all
others similarly situated,

Plaintiff,

v.

BANK OF AMERICA, a Delaware corporation;
CENTRAL STATES INDEMNITY CO. OF
OMAHA, a Nebraska Corporation; CSI
PROCESSING LLC, a Nebraska company; and
DOES 1-100,

Defendants.

Case No. CV 08-1219 CRB

**STIPULATION TO AMEND
PLAINTIFF'S SECOND AMENDED
COMPLAINT TO SUBSTITUTE
"TRG CUSTOMER SOLUTIONS,
INC. d/b/a TELESPECTRUM" FOR
THE DOE DEFENDANT**

Dept.: 8

Judge: The Hon. Charles R. Breyer

1 Upon the filing of the Second Amended Complaint, plaintiff was not aware of the true
 2 name of the telemarketer defendants and thus designated the telemarketer defendants by the
 3 fictitious name of "DOES." Plaintiff has since discovered the true name of the telemarketer
 4 defendant is TRG Customer Solutions, Inc. doing business as Telespectrum. Federal Rules
 5 of Civil Procedure, Rule 15 permits amendment by the parties' written consent.

6 Therefore, in accordance with Rule 15, the parties hereby stipulate to amend
 7 Plaintiff's Second Amended Complaint by substituting "TRG Customer Solutions, Inc. d/b/a
 8 Telespectrum" as the true name for fictitious third party telemarketer defendants identified
 9 therein as "DOES". The parties stipulate to add "TRG Customer Solutions, Inc. d/b/a
 10 Telespectrum" as a defendant and substitute the true name for the fictitious name wherever it
 11 appears in the Second Amended Complaint.

12
 13 Dated: June 5, 2008

BRAYTON PURCELL LLP

14
 15 By: /s/ Peter B. Fredman
 16 Peter B. Fredman
 17 Attorneys for Plaintiff David Keck

18 Dated: June , 2008

SEVERSON & WERSON
 A Professional Corporation

19
 20
 21 By: _____
 22 Jan T. Chilton
 23 Attorneys for Defendant Bank of America, N.A.

24 Dated: June , 2008

TOBIN & TOBIN

25
 26 By: _____
 27 Paul E. Gaspari
 28 Attorneys for Defendant Central States
 Indemnity Co. of Omaha and CSI Processing
 LLC

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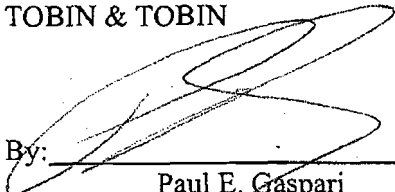
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Case No. CV 08-1219 CRB

**[PROPOSED] ORDER AMENDING
PLAINTIFF'S SECOND AMENDED
COMPLAINT TO SUBSTITUTE
"TRG CUSTOMER SOLUTIONS,
INC. d/b/a TELESPECTRUM" FOR
THE DOE DEFENDANT**

Dept.: 8

Judge: The Hon. Charles R. Breyer

1 In accordance with Federal Rules of Civil Procedure, Rule 15, and pursuant to the
2 stipulation filed by the parties filed on June 5, 2008, Plaintiff's Second Amended Complaint
3 shall be amended to substitute "TRG Customer Solutions, Inc. d/b/a Telespectrum" for
4 fictitious third party telemarketer defendants identified therein as "DOES". This amendment
5 shall add "TRG Customer Solutions, Inc. d/b/a Telespectrum" as a defendant and substitutes
6 the true name for the fictitious name wherever it appears in the Second Amended Complaint.

7 Based on this amendment, a new Summons shall issue to TRG Customer Solutions,
8 Inc. d/b/a Telespectrum.

9 Plaintiff shall serve a copy of this Order with the Summons and Second Amended
10 Complaint to TRG Customer Solutions, Inc. d/b/a Telespectrum.

11
12 IT IS SO ORDERED.

13
14 DATED: _____, 2008

By: _____
The Honorable Charles R. Breyer
United States District Court Judge